

### **REMARKS**

At the outset, the Examiner is thanked for the thorough review and consideration of the subject application. The Non-Final Office Action of April 23, 2003 has been received and contents carefully reviewed.

Applicant hereby amends Claims 1-8, and 10 and adds new claims 12-30. Applicant respectfully submits no new matter has been entered by this amendment.

In the Office Action, the Examiner rejected claims 1 and 2 under 35 U.S.C. § 103(a) as being unpatentable over Takeishi (U.S. Pat. App. No. 2001/0005240) in view of Moon (U.S. Pat. No. 6,392,626) and Kumagai (JP Pub. No. 09-034381); rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Takeishi in view of Moon and Kumagai and further in view of Adachi et al. (U.S. Pat. No. 6,025,901); rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Takeishi in view of Moon and Kumagai and further in view of Yoshii et al. (U.S. Pat. No. 6,388,722); rejected claims 5 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Takeishi in view of Moon and Kumagai and further in view of Imaeda (U.S. Pat. No. 6,025,644); rejected claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Takeishi in view of Kumagai and Imaeda; rejected claims 8 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Takeishi in view of Kumagai and Imaeda and further in view of Hung et al. (U.S. Pat. No. 6,188,568); and rejected claims 9 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Takeishi in view of Kumagai, Imaeda, and Hung et al., and further in view of Adachi et al. The rejections of the claims is traversed and reconsideration of the claims is respectfully requested in view of the following remarks.

The rejection of claims 1 and 2 under 35 U.S.C. § 103(a) as being unpatentable over Takeishi in view of Moon and Kumagai is respectfully traversed and reconsideration is requested.

Claim 1 is allowable over the cited references in that claim 1 recites a combination of elements including, for example “a structure in the shield cover at a position over the variable resistor that is openable for adjusting the common voltage.” None of the cited references, including Takeishi, Moon, and Kumagai, singly or in combination, teaches or suggests at least these features of the claimed invention. Accordingly, Applicants respectfully submit that claims 2-6, which depend from claim 1, are allowable over the cited references.

To establish a *prima facie* case of obviousness, the references when combined must at least teach or suggest all the claim limitations. See MPEP § 2142. For the reasons set forth below, Applicants respectfully submit a *prima facie* case of obviousness has not been established with regard to the presently claimed invention.

The Examiner cites Takeishi as failing “...to disclose the cover configuration and the shield cover position configurations.” To cure the deficiencies of Takeishi, the Examiner cites Moon as disclosing “...a liquid crystal display device having different common voltages where the required shield cover is disclosed.” The Examiner further cites Kumagai as disclosing “...a structure for attaching variable resistor to liquid crystal display section where the required cover position structure is disclosed.” In concluding the rejection, the Examiner states it would have been obvious to “...include the required cover configuration and the cover position configuration in Takeishi as taught by Moon and Kumagai respectively, in order to have a liquid crystal display device with better performance.”

After thoroughly reviewing the disclosure of Moon, Applicant respectfully submits, however, Moon is silent as to any “structure in the shield cover at a position over the variable resistor that is openable for adjusting the common voltage,” as asserted by the Examiner. Applicant respectfully requests the Examiner to clarify where the claim limitation mentioned above is disclosed by Moon. Similarly, and after thoroughly reviewing the disclosure of Kumagai, Applicant respectfully submits Kumagai is silent as to any “required cover position structure,” as asserted by the Examiner. Applicant respectfully requests the Examiner to clarify where the claim limitation mentioned above is disclosed by Kumagai.

Accordingly, Applicant respectfully submits that Takeishi, Moon, and Kumagai, singly or in combination, teaches or suggests at least the aforementioned combination of elements.

The rejection of claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Takeishi in view of Moon and Kumagai and further in view of Adachi et al. is respectfully traversed and reconsideration is requested.

Claim 3 includes all of the limitations of claim 1, as discussed above, and Takeishi in view of Moon and Kumagai fails to teach or suggest at least these features of independent claim 1 as recited above. Similarly, Adachi et al. fails to cure the deficiencies of Takeishi in view of Moon and Kumagai. Accordingly, Applicants respectfully submit that the Examiner has not established a *prima facie* case of obviousness regarding claim 3 in view of claim 1, as above.

The rejection of claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Takeishi in view of Moon and Kumagai and further in view of Yoshii et al. is respectfully traversed and reconsideration is requested.

Claim 4 includes all of the limitations of claim 1, as discussed above, and Takeishi in view of Moon and Kumagai fails to teach or suggest at least these features of independent claim 1 as recited above. Similarly, Yoshii et al. fails to cure the deficiencies of Takeishi in view of Moon and Kumagai. Accordingly, Applicants respectfully submit that the Examiner has not established a *prima facie* case of obviousness regarding claim 4 in view of claim 1, as above.

The rejection of claims 5 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Takeishi in view of Moon and Kumagai and further in view of Imaeda is respectfully traversed and reconsideration is requested.

Claims 5 and 6 include all of the limitations of claim 1, as discussed above, and Takeishi in view of Moon and Kumagai fails to teach or suggest at least these features of independent claim 1 as recited above. Similarly, Imaeda fails to cure the deficiencies of Takeishi in view of Moon and Kumagai. Accordingly, Applicants respectfully submit that the Examiner has not established a *prima facie* case of obviousness regarding claims 5 and 6 in view of claim 1, as above.

The rejection of claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Takeishi in view of Kumagai and Imaeda is respectfully traversed and reconsideration is requested.

Claim 7 is allowable over the cited references in that claim 7 recites a combination of elements including, for example “[a] shield cover for a liquid crystal display (LCD) having a printed circuit board (PCB) at a rear of a display module, comprising: a top surface over the PCB; and a slit in the top surface over the PCB.” None of the cited references, including Takeishi, Kumagai, and Imaeda, singly or in combination, teaches or suggests at least these

features of the claimed invention. Accordingly, Applicants respectfully submit that claims 8-11, which depend from claim 7, are allowable over the cited references.

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. See MPEP § 2142. Establishment of a *prima facie* case of obviousness requires, at the least, some objective reason to modify the reference. See MPEP § 2143.02. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. See MPEP § 2143.01. For the reasons set forth below, Applicants respectfully submit a *prima facie* case of obviousness has not been established with regard to the presently claimed invention.

The Examiner cites Takeishi as failing "...to disclose the required liquid crystal display device surface configuration, and slit configuration." To cure the deficiencies of Takeishi, the Examiner cites Kumagai as disclosing "...a structure for attaching variable resistor to liquid crystal display section where the required liquid crystal display device surface configuration is disclosed." The Examiner further cites Imaeda as disclosing "...a liquid crystal display... where the required slit structure is disclosed." In concluding the rejection, the Examiner states it would be obvious to "...include the required surface configuration and the slit configuration in [Takeishi] as taught by [Kumagai] and [Imaeda], in order to have a liquid crystal display device with better performance."

After thoroughly reviewing the disclosure of Imaeda, Applicants respectfully submit Imaeda discloses no analogous structure to that set forth in the claimed combination of elements. Although the Examiner fails to specifically cite any relevant portion of Imaeda that

is relied upon in the rejection, it appears as though the “required slit structure” referred to by the Examiner may correspond to the opening within the upper housing 1 of the portable telephone device illustrated in Figure 8 through which images can be expressed by the liquid crystal display device 5 (see, for example, Imaeda at column 5, lines 23-34). Alternatively, the “required slit structure” referred to by the Examiner may also correspond to the opening within the shielding case 11 of the portable telephone device illustrated in Figures 2 and 8 through which images can be expressed by the liquid crystal display device 5 (see, for example, Imaeda at column 5, lines 48-58). Regardless of what the “required slit structure” of Imaeda, cited by the Examiner, may be actually manifested as, Applicants respectfully submit there is no motivation or suggestion, either within the references themselves or within the knowledge generally available to one of ordinary skill in the art, for one reasonably skilled in the art to combine the references and arrive at the claimed invention. Applicants respectfully submit Takeishi in view of Kumagai and Imaeda does not suggest the claimed invention as a whole. Absent such a suggestion or motivation to combine the references, Applicant respectfully submits that fragments of isolated disclosures within Takeishi, Kumagai, and Imaeda have merely been pieced together using the claimed invention as a template.

The rejection of claims 8 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Takeishi in view of Kumagai and Imaeda and further in view of Hung et al. is respectfully traversed and reconsideration is requested.

Claims 8 and 10 include all of the limitations of claim 7, as discussed above, and Takeishi in view of Kumagai and Imaeda fails to teach or suggest at least these features of independent claim 7 as recited above. Similarly, Hung et al. fails to cure the deficiencies of

Takeishi in view of Kumagai and Imaeda. Accordingly, Applicants respectfully submit that the Examiner has not established a *prima facie* case of obviousness regarding claims 8 and 10 in view of claim 7, as above.

The rejection of claims 9 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Takeishi in view of Kumagai, Imaeda, and Hung et al. and further in view of Adachi et al. is respectfully traversed and reconsideration is requested.

Claims 9 and 11 include all of the limitations of claim 7, as discussed above, and Takeishi in view of Kumagai, Imaeda, and Hung et al. fails to teach or suggest at least these features of independent claim 7 as recited above. Similarly, Adachi et al. fails to cure the deficiencies of Takeishi in view of Kumagai, Imaeda, and Hung et al. Accordingly, Applicants respectfully submit that the Examiner has not established a *prima facie* case of obviousness regarding claims 9 and 11 in view of claim 7, as above.

Applicants believe the application in condition for allowance and early, favorable action is respectfully solicited. Should the Examiner deem that a telephone conference would further the prosecution of this application, the Examiner is invited to call the undersigned attorney at (202) 496-7500.

Application No.: 10/025,910  
Group Art Unit: 2826  
Reply to Office Action of 23, 2003

Docket No.: 8733.539.00  
Reply Dated July 23, 2003  
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If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136. Please credit any overpayment to deposit Account No. 50-0911.

Respectfully submitted,

MCKENNA LONG & ALDRIDGE, LLP

Date: July 23, 2003

By



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